

## **REMARKS**

### **Amendments**

#### ***Amendments to the Claims***

Claims 36-40 are withdrawn and claim 32 is canceled without prejudice.

### **Restriction under 35 U.S.C. § 121**

The Examiner states a restriction is required under 35 U.S.C. § 121 because claims 1-31 and 33-34 are drawn to a storage feature in a video distribution system with local interface, claim 32 is drawn to video distribution components and claims 36-40 are drawn to indexing of data processing. Applicant respectfully notes that claim 35 is also drawn to a storage feature in a video distribution system with local interface, as claim 35 is dependent on claim 33.

Applicant elects claims 1-31 and 33-35 with traverse. Applicant respectfully submits that claims 36-40 claim "... using a defined structure to automatically delete ... stored a first media content so as to guarantee storage room for a second media content ...". This claimed element is similar to the element claimed in claim 33 "wherein portions of stored media content ... are deleted to make room for new media content". Because claim 33 is classified as being "drawn to a storage feature in a video distribution system with local interaction, (Office Action, at p. 2), so too should claims 36-40 because claims 36-40 address a "storage feature" rather than "indexing of data processing" as the Examiner proposes. Both independent claims 33 and 36 are associated with a similar "storage feature" classification. Therefore, Applicant respectfully requests the Examiner to reinstate claims 36-40 in the present application.

## **SUMMARY**

Claims 1-31 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x258.


**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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& ZAFMAN LLP

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